

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EASTMAN KODAK COMPANY, : 12 Civ. 3109 (DLC)
Plaintiff, :
-v- : PRETRIAL
RICOH COMPANY, LTD., : SCHEDULING ORDER
Defendant. :
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DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed. R. Civ. P., on September 12, 2012, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. No additional parties may be joined or pleadings amended after **September 21, 2012**.
2. The parties are instructed to contact the chambers of Magistrate Judge Gorenstein by **December 14, 2012**, in order to pursue settlement discussions under his supervision.
3. All fact discovery must be completed by **April 26, 2013**.
4. Expert reports and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed. R. Civ. P., by the party bearing the burden on an issue must be served by **May 17, 2013**. Identification of rebuttal experts and disclosure of their expert testimony must occur by **June 7, 2013**.
5. All expert discovery must be completed by **June 28, 2013**.
6. The following motion will be served by the dates indicated below.

Any motion for Summary Judgment:

- Motion served by **July 19, 2013.**
- Opposition served by **August 16, 2013.**
- Reply served by **September 6, 2013.**

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by mail or delivery to the United States Courthouse, 500 Pearl Street, New York, New York.

7. In the event no motion is filed, the Joint Pretrial Order must be filed by **July 19, 2013.**

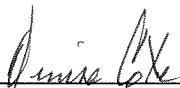
As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at the time of filing.

IT IS FURTHER ORDERED that the following procedures shall govern the conduct of the trial.

1. All exhibits must be pre-marked.
2. At the start of the trial each party will present the Court with the following documents:
 - (a) Three copies of a complete exhibit list.
 - (b) A set of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labeled with the exhibit numbers and placed in a suitable container or box for ready reference.
 - (c) The exhibits should include copies of the sections of any depositions that are intended to be offered into evidence and any charts or summaries of evidence.
3. Counsel should be available every day at 9:00 a.m. (except for the first day of trial) in order to discuss with the Court any legal or evidentiary issues expected to arise during the day.

4. Testimony will generally be taken between 9:30 and 5:00 from Monday through Thursday. There will be a mid-morning, a mid-afternoon and a lunch break from 12:45 p.m. to 2 p.m.
5. There should be no sidebars during jury trials. Counsel are expected to anticipate any problems that might require a ruling from the Court and to raise those issues with the Court in advance of the time that the jury will be hearing the evidence.
6. If counsel intend to distribute copies of documentary exhibits to the jury, make a separate copy for each juror.
7. Counsel should make certain that they have custody of all original exhibits. The Court does not retain them and the Clerk is not responsible for them.

Dated: New York, New York
September 13, 2012



DENISE COTE
United States District Judge